

Remarks/Arguments

Claims 1-3 are pending in the application. Claims 1-3 are rejected. Claim 1 is amended. No new matter is added by the foregoing amendment. Support for the amendment is found in the specification as filed. Reconsideration and allowance of claims 1-3 are respectfully requested.

Claims 1-2 stand rejected under 35 USC 102(b) as being anticipated by Ferry et al. US Pat. No. 6,147,095 (“Ferry”). Claim 1 as amended recites an improved method for treating highly treatment experienced HIV-infected patients, which method comprises administering tipranavir in combination with an inhibitor of Cyp3A4 and capravirine. Ferry does not teach or suggest administering tipranavir in combination with an inhibitor of Cyp3A4 and capravirine, therefore the rejection of claim 1 is overcome. Claim 2 is dependent on claim 1 and includes additional features. Applicants request this rejection be withdrawn.

Claims 1-3 stand rejected under 35 USC 103(a) as being unpatentable over Ferry, in view of Loutfy et al. (“Loutfy et al.”) Applicants traverse this rejection. Amended claim 1 is recited above. The combination of Ferry and Loutfy et al. does not result in the invention as amended. Ferry does not teach or suggest addition of capravirine to the combination therapy of tipranavir and an inhibitor of Cyp3A4. Moreover, Ferry makes clear that the choice of which drugs to combine must take into account synergistic effects of certain drug combinations, as well as other sorts of drug-drug interactions that might render a combination less effective or even dangerous (col. 3 lines 14-18). Loutfy et al. merely teaches that certain new drugs are under investigation, management of patients in whom ARV treatment has failed must be individualized, and more research is needed in the area of patients who have failed an NNRTI-containing regimen. As such, the combination of Loutfy et al. with Ferry is an “obvious to try” rejection, which is not the

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proper standard, thus the rejection of claim 1 is overcome. Claims 2 and 3 are dependent on claim 1 and include additional features. Applicants request this rejection be withdrawn.

In view of the foregoing, the Applicants submit that all claims are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited. In the event that there are any fees dues and owing in connection with this matter, please charge the same to our Deposit Account No. 11-0223.

Respectfully submitted,

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